



मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 98]

भोपाल, शुक्रवार, दिनांक 25 फरवरी 2022—फाल्गुन 6, शक 1943

नगरीय विकास एवं आवास विभाग

मंत्रालय, वल्लभ भवन, भोपाल

भोपाल, दिनांक 25 फरवरी 2022

क्र. एफ-03-11-2022-अठारह-5.- भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, नगरीय विकास एवं आवास की अधिसूचना क्रमांक-एफ-03-11-2022-अठारह-5, दिनांक 25 फरवरी 2022 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,

शुमाशीष बैनर्जी, उपसचिव.

Bhopal, the 25th February 2022

No. F-3-11-2022-XVIII-5.- In exercise of powers conferred by Section 84 read with sub-clause (iv) of clause (g) of Section 2 of Real Estate (Regulation and Development) Act, 2016 (16 of 2016), the State Government, hereby makes the following amendments in Madhya Pradesh Real Estate (Regulation and Development) Rules, 2017, Namely :-

AMENDMENTS

1. After rule 19, the following rule shall be inserted, namely: -

“19-A. (1) **Resignation.**- Chairperson or a Member of the Authority may,-

- (a) by giving a notice in writing, may resign his office at any time by giving notice of not less than three months, but his office shall become vacant only when such resignation is accepted by the State Government;

- (b) be removed from the office in accordance with the provisions of section 26 of the Act and rules made thereunder.
- (2) When the office of the Chairperson is vacant or a person occupying such office is by reason of absence or otherwise, unable to perform the duties of his office, the same shall, save as otherwise directed by the State Government by special orders, be performed by the senior most member of the Authority.
- (3) The Chairperson or any Member ceasing to hold office as such shall not hold any appointment in or be connected with the management or administration of an organization which has been the subject of any proceeding under the Act during his tenure, for a period of five years from the date on which he ceases to hold such office.”.

In rule 21,-

For clause (b), the following clause shall be substituted, namely :-

“(b) all matters pertaining to staff strength, wages and salary structure emoluments, perquisites and personnel policies with prior approval of the State Government.”;

For clause (c), the following clause shall be substituted, namely:-

“(c) all matters pertaining to creation and abolition of posts with prior approval of the State Government.”;

For clause (d), the following clause shall be substituted, namely:-

“(d) all matters pertaining to appointment, promotion and confirmation for all posts with the prior approval of the State Government.”:

- (4) For clause (e), the following clause shall be substituted, namely: -

“(e) acceptance of resignations by any officer or employee of the Authority including adjudicating officer.”;

- (5) In clause (f), for the semi colon, the colon shall be substituted and thereafter the following proviso shall be inserted, namely: -

“Provided that any tour outside India shall require prior permission from State Government and shall be undertaken only after clearance from Government of India as per prescribed procedure.”.

- (6) In clause (j), for the semi colon, the colon shall be substituted and thereafter the following proviso shall be inserted, namely: -

“Provided that nominations for attending any seminar, conference and training course outside India shall require prior permission from State Government and shall be undertaken only after clearance from Government of India as per prescribed procedure.”.

- (7) For clause (n), the following clause shall be substituted, namely:

“(n) all matters relating to disciplinary action against any adjudicating officer, other officer and government servant of the authority.”;

3. In rule 32,-

- (1) For clause (a), the following clause shall be substituted, namely: -

“(a) matters pertaining to staff strength, wages and salaries structure, emoluments, perquisites and personal policies with prior approval of the State Government.”;

- (2) For clause (b), the following clause shall be substituted, namely:-

“(b) matters pertaining to creation and abolition of posts with prior approval of the State Government.”;

- (3) For clause (c), the following clause shall be substituted, namely:-

- “(c) matters pertaining to appointments, promotions and confirmation for all posts with prior approval of the State Government.”;
- (4) For clause (d), the following clause shall be substituted, namely: -
 “(d) acceptance of resignations by any officer, or employee officiating against sanctioned posts.”;
- (5) In clause (e), for the semi colon, the colon shall be substituted and thereafter the following proviso shall be inserted, namely:-
 “Provided that any tour outside India shall require prior permission from the State Government and shall be undertaken only after clearance from the Government of India as per prescribed procedure.”.
- (6) In clause (i), for the semi colon, the colon shall be substituted and thereafter the following proviso shall be inserted, namely: -
 “Provided that nominations for attending any seminar, conference and training course outside India shall require prior permission from the State Government and shall be undertaken only after clearance from the Government of India as per prescribed procedure.”.
- (7) For clause (m), the following clause shall be substituted, namely: -
 “(m) matters relating to disciplinary action against any officer or government servant of the tribunal;”.
4. In rule 33, in sub-rule (1), for the full stop, the colon shall be substituted and thereafter, the following provisos shall be inserted, namely: -
 “Provided that every appeal shall be heard by the bench as prescribed in sub-section (3) of section 43 of the Act:

Provided further that appeal filed against order passed by the Authority or the Adjudicating Officer, as the case may be, under section 7 or section 8 of the Act, shall be heard by the bench headed by the Chairperson of the tribunal.”.

By order and in the name of the Governor of Madhya Pradesh,
 SHUBHASHISH BANERJEE, Dy. Secy.